

**REMARKS**

Applicants acknowledge receipt of the *Office Action* dated March 17, 2008 wherein claims 1, 3-24, 26-31 and 47-61 were rejected under 35 U.S.C. § 103(a). In response, Applicants respectfully request reconsideration of the presently claimed application in view of the following remarks.

***Status of Claims***

Claims 3-18, 21-24, 30 and 31 are in original form.

Claims 1, 19, 20, 26-29 and 47-61 were previously presented.

Claims 2, 25 and 32-46 were previously canceled.

Therefore, claims 1, 3-24, 26-31 and 47-61 are currently pending in the application.

***Claim Rejections Under 35 USC § 103(a) in view of Tsumpes***

In the *Office Action*, claims 1, 3-19, 47-49 and 53-61 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,442,241 to Tsumpes et al. (hereinafter *Tsumpes*). As shown in Figure 1, the *Tsumpes* reference teaches a notification system 10 comprising a controller 12 that detects changes in the status of sensors 11 connected thereto (col. 4, lines 53-64). “The controller 12 communicates with a central monitoring station 13 through several ***alternate*** communication channels” (col. 4, lines 65-67) (emphasis added). “The controller 12 is programmed to format the sensor signal into DTMF or DDP and ***select*** the appropriate communications network or channel on which to transmit, depending on which communication channel is installed or chosen and which sensor and the type of sensor that is triggered” (col. 5, lines 35-40) (emphasis added). Thus, the *Tsumpes* reference clearly discloses communications networks that are used alternately rather than substantially simultaneously to

deliver signals from the controller 12 to the central monitoring station 13.

Referring to Figure 4 and the accompanying disclosure, the *Tsumpes* reference teaches that once the central monitoring unit 13 receives the incoming signal, “the digital signal processor DSP, or dialer, or telephone switching device connected with the central monitoring status CPU then starts making the simultaneous and parallel telephone calls that correspond to the group of telephone numbers and contact persons pre-programmed for that particular sensor and event” (col. 7, lines 21-26). Thus, simultaneous communications are sent to the subscriber only *after* the central monitoring station 13 receives a single notification of an alarm condition from the controller 12 through a single communication channel.

Claims 1, 3-19 and 47-49

In rejecting claims 1, 3-19 and 47-49, the Patent Office relates the *Tsumpes* controller 12 to the claimed security gateway and the *Tsumpes* central monitoring station 13 to the claimed security system server. Applicants respectfully traverse the rejection of independent claim 1 at least because *Tsumpes* fails to teach or suggest that the controller 12 notifies the central monitoring station 13 of the sensor signals through a first network substantially simultaneously with notifying the central monitoring station 13 of the same sensor signal through a second network, or that the central monitoring station 13 thereby receives two notifications from the controller 12. Instead, *Tsumpes* clearly teaches that the controller 12 notifies the central monitoring unit 13 through only a single selected network, and the central monitoring unit 13 receives only a single notification from the controller 12.

In making the rejection, the Patent Office refers to the simultaneous communications from the central monitoring station 13 to the subscriber’s work number, home number, cell

phone number, etc. However, these alarm notifications are not occurring between a security gateway and a security system server, according to claim 1. Instead, these simultaneous alarm notifications are being transmitted from the central monitoring station 13 to a subscriber, and such transmissions occur only *after* it receives the alarm information from the controller 12.

Accordingly, at least because *Tsumpes* fails to teach or suggest a security gateway that notifies a security system server of a single alarm condition through two networks substantially simultaneously, or a security system server that receives two separate notifications of an alarm condition from a security gateway according to claim 1, Applicants respectfully submit that independent claim 1 is patentably distinguishable over *Tsumpes*. Additionally, Applicants note that pending claims 3-19 and 47-49 each depend from and incorporate the limitations of claim 1. Thus, claims 3-19 and 47-49 are likewise allowable over *Tsumpes*.

#### Claims 53-56

In rejecting claims 53-56, the Patent Office refers to the following passage of *Tsumpes* (col. 3, lines 54-63):

A still further object of this invention is to provide an automated parallel and redundant subscriber contact and event notification system which supplements or replaces the current systems in use in an alarm central monitoring and is also capable of providing back up alarm signal delivery to a central monitoring station of an alarm event over a back-up communications channel such as a wireless radio transceiver to insure that the alarm signal actually reaches the alarm central monitoring station.

Based upon this passage, the Patent Office takes the position that *Tsumpes* discloses the following limitations of independent claim 53:

“wherein the security gateway is configured to ... (2) detect if connectivity with the security system server through the first network is lost; and (3) notify the

security system server through the second network of the loss of connectivity though the first network.”

After a careful review of the *Tsumpes* passage presented above, Applicants respectfully traverse the rejection of claim 53, and claim 54 that depends therefrom, on the basis that *Tsumpes* fails to teach or suggest either of the claim limitations listed above. Instead, *Tsumpes* merely suggests that a backup communications channel, such as a wireless radio transceiver, can be used to insure that an alarm signal reaches the alarm central monitoring station. *Tsumpes* does not teach or suggest that the controller 12 has the capability of detecting a loss of connectivity with the central monitoring station 13 through a first communication channel, or that the controller 12 is configured to send any notification through a backup communication channel to indicate to the central monitoring station 13 that there is a loss of connectivity through the first communication channel. Thus, Applicants respectfully submit that claims 53 and 54 are patentably distinguishable over *Tsumpes*.

Similarly, the Patent Office takes the position that the *Tsumpes* reference discloses the following limitations of independent claim 55:

“wherein the security gateway is further configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored.”

Again, after a careful review of *Tsumpes*, Applicants respectfully traverse the rejection of claim 55, and claim 56 that depends therefrom, on the basis that *Tsumpes* fails to the claim limitations listed above. Indeed, *Tsumpes* fails to make any suggestion that the controller 12 is

ever disarmed or armed, or that the controller 12 is configured to send a notification to the central monitoring station 13 in the event that connectivity through a first communication channel is lost. Thus, Applicants respectfully submit that claims 55 and 56 are patentably distinguishable over *Tsumpes*.

#### Claims 57-61

The Patent Office appears to have inadvertently indicated that claims 57-61 stand rejected under 35 USC § 103(a) as being unpatentable over *Tsumpes* given that the *Office Action* fails to set out a reasoned statement in support of this rejection. Accordingly, Applicants respectfully request withdrawal of this rejection.

#### ***Claim Rejections Under 35 USC § 103(a) in view of Lemons and Tsumpes***

In the *Office Action*, claims 1, 3-19, 47-49 and 53-61 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,504,479 to Lemons et al. (hereinafter *Lemons*) in view of *Tsumpes*.

*Lemons* teaches an integrated security system 10 with first and second communication channels 36, 50 that are both connected between a facility 12 and a monitoring center 38. The first communication channel 36 is “primary”, and the second communication channel 50 is “backup” that is used only when the primary channel 36 “fails, is not available, or is interrupted.” As acknowledged by the Patent Office, *Lemons* fails to disclose a security system with a first network and a second network through which a security gateway transmits notification of an alarm condition to a security system server substantially simultaneously, and wherein the security system server thereby receives two notification of the alarm condition from the security gateway as claimed.

As discussed in detail above, *Tsumpes* discloses that the controller 12 communicates with a central monitoring station 13 through several *alternate* communication channels, and the controller 12 is programmed to *select* the appropriate communications network or channel on which to transmit a signal to the central monitoring station 13. Thus, only a single communication channel is used. The multiple communications networks connected between the controller 12 and the central monitoring station 13 are used in the alternative rather than substantially simultaneously to deliver signals from the controller 12 to the central monitoring station 13, and the central monitoring station only receives a single signal from the controller 12.

Claims 1, 3-19 and 47-49

In rejecting claims 1, 3-19 and 47-49, the Patent Office takes the position that it would have been obvious to modify the teachings of *Tsumpes* regarding automated parallel and redundant contact to a user into the security system of *Lemons* to provide expeditious and efficient handling of time sensitive events.

In response, Applicants respectfully traverse the rejection of independent claim 1 at least because *Lemons* teaches that its monitoring center 38 receives only a single alarm notification from the facility 12 through one of the two redundant communication channels 36, 50, and similarly, *Tsumpes* teaches that its central monitoring station 13 receives only a single alarm notification from the controller 12 along a selected one of multiple communication channels. Neither of these references teaches or suggests a security system with a first network and a second network through which a security gateway transmits notification of an alarm condition to a security system server substantially simultaneously, and wherein the security system server thereby receives two notifications of the alarm condition according to claim 1.

Accordingly, at least because neither *Lemons* nor *Tsumpes* teaches or suggests a security system with a first network and a second network through which a security gateway transmits notification of an alarm condition to a security system server substantially simultaneously, or a security system server that receives two separate notifications of an alarm condition from a security gateway according to claim 1, Applicants respectfully submit that independent claim 1 is patentably distinguishable over *Lemons* in view of *Tsumpes*. Additionally, Applicants note that pending claims 3-19 and 47-49 each depend from and incorporate the limitations of claim 1. Thus, Applicants respectfully submit that claims 3-19 and 47-49 are likewise allowable over *Lemons* in view of *Tsumpes*.

#### Claims 53-56

In rejecting claims 53-56, the Patent Office refers to the following passage of *Lemons* (column 4, line 66 through column 5, line 16):

In addition to the common communications channel 36, a backup or redundant communications channel 50 may be employed. The channel 50 is connected between the facility 12 and the monitoring center 38 by using communications termination equipment (CTE2) 52 located within the facility 12 and communications termination equipment (CTE2) 54 located within the monitoring center 42. The CTE2 52 may be connected to the SCU 14 via a connection 56. Although not shown, the CTE2 54 may be connected to the video server 42, the customer database 44, and the central alarm computer 46 as the CTE 40. Thus all functions of the integrated security system 10 can be maintained even when the primary communications link 36 fails, is not available, or is interrupted. Examples of the communications termination equipment 34, 40, 52, and 54 may be an ISDN router or a phone line dial-up.

An important feature of the present invention is the use of the single or common communications channel 36 to control and communicate with all features and functions of the SCU 14 and the components 16-22.

Based upon this passage, the Patent Office takes the position that *Lemons* discloses the

following limitations of independent claim 53:

“wherein the security gateway is configured to ... (2) detect if connectivity with the security system server through the first network is lost; and (3) notify the security system server through the second network of the loss of connectivity through the first network.”

After a careful review of the *Lemons* passage presented above, Applicants respectfully traverse the rejection of claim 53, and claim 54 that depends therefrom, on the basis that *Lemons* fails to disclose either of the claim limitations listed above. Instead, *Lemons* merely discloses that the backup communications channel 50 can be used when the primary communications link 36 either fails, is not available, or is interrupted. *Lemons* makes no mention whatsoever that the facility 12 has the capability of detecting a loss of connectivity with the monitoring center 38 through the primary channel 36, or that the facility 12 is configured to send any notification through the backup channel 50 to indicate to the monitoring center 38 that there is a loss of connectivity through the primary channel 36. Thus, Applicants respectfully submit that claims 53 and 54 are patentably distinguishable over *Lemons*.

Similarly, based upon the same passage of *Lemons* presented above, the Patent Office takes the position that the *Lemons* reference discloses the following limitations of independent claim 55:

“wherein the security gateway is further configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored.”



Again, after a careful review of the *Lemons* passage cited above, Applicants respectfully traverse the rejection of claim 55, and claim 56 that depends therefrom, on the basis that *Lemons* fails to disclose the claim limitations listed above. Indeed, *Lemons* fails to make any suggestion whatsoever that the facility 12 is ever disarmed or armed, or that the facility 12 is configured to send a notification to the monitoring center 38 in the event that connectivity through the primary channel 36 is lost. Thus, Applicants respectfully submit that claims 55 and 56 are patentably distinguishable over *Lemons* in view of *Tsumpes*.

#### Claims 57-61

The Patent Office appears to have inadvertently indicated that claims 57-61 stand rejected under 35 USC § 103(a) as being unpatentable over *Lemons* in view of *Tsumpes* given that the *Office Action* fails to set out a reasoned statement in support of this rejection. Accordingly, Applicants respectfully request withdrawal of this rejection.

#### ***Claim Rejections Under 35 USC § 103(a) in view of Lemons and Menard***

In the *Office Action*, claims 57-61 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lemons* in view of U.S. Patent No. 6,667,688 to Menard et al. (hereinafter *Menard*). *Menard* generally discloses an alarm system 10 that is operable to substantially simultaneously transmit alarm notifications along Path A to an end-user 30 and along Path B to a central station 20, as schematically depicted in Figure 1, shown below. The end-user 30 can then communicate directly with the central station 20 along Path C using a personal communication device 40 to either verify or cancel the alarm before an emergency agency is dispatched. Thus, *Menard* discloses a system having two communication Paths A, B along which an alarm condition may be simultaneously transmitted to two different destinations.

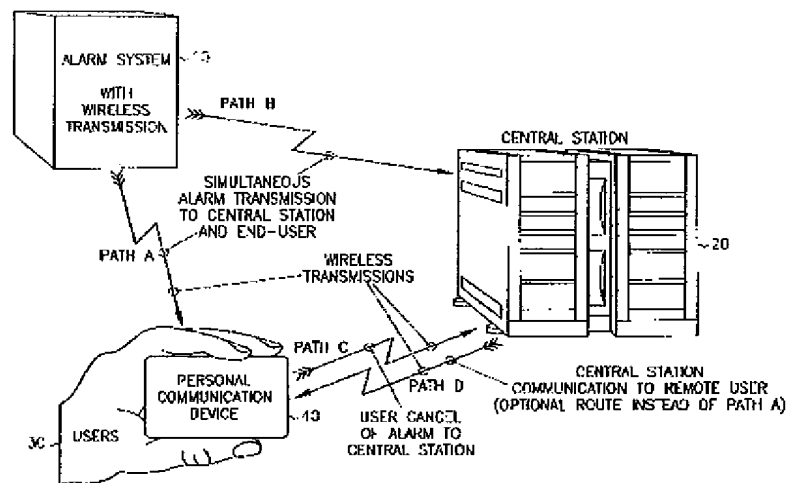


FIG. 1

U.S. Patent Dec. 23, 2003 Sheet 1 of 3 US 6,667,688 B1

The Patent Office relates the *Menard* alarm system 10 to the claimed security gateway, the end-user 30 to the claimed monitoring center, and the central station 20 to the claimed security system server.

Applicants respectfully traverse the rejection of claims 57-61 and submit that the combination of *Lemons* with *Menard* fails to disclose a monitoring center (end-user 30 of *Menard*) that is configured to notify the security system server (central station 20 of *Menard*) of the alarm condition according to independent claim 57. As clearly depicted, the *Menard* end-user 30 never notifies the central station 20 of an alarm condition. Instead, the alarm system 10 notifies the central station 20 of the alarm condition along Path B, and the end-user 30 only communicates an alarm verification or cancellation to the central station 20 along Path C, not an alarm notification. The central station 20 only receives one alarm notification, and that is from the alarm station 10 along Path B.

At least for these reasons, Applicants respectfully submit that independent claim 57 is patentably distinguishable over *Lemons* in view of *Menard*. Additionally, Applicants note that pending claims 58-61 each depend from and incorporate the limitations of claim 57. Thus, Applicants respectfully submit that claims 58-61 are likewise allowable over *Lemons* in view of *Menard*.

***Claim Rejections Under 35 USC § 103(a) in view of Lemons, Tsumpes and Kung***

In the *Office Action*, claims 20-24, 26-31 and 50-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lemons* in view of *Tsumpes* and further in view of U.S. Patent No. 6,826,173 to Kung et al. (hereinafter *Kung*). The Patent Office takes the position that one of ordinary skill in the art would modify the *Tsumpes* automated parallel and redundant contacts to users into the security system of *Lemons* to provide expeditious and efficient handling of time sensitive events, and it would have been obvious to use the cable-headend and hybrid-fiber-coaxial network of *Kung* with the security system formed by combining *Lemons* and *Tsumpes*.

In response, Applicants respectfully traverse the rejection of independent claim 20 at least because *Lemons* teaches that its monitoring facility 38 receives only a single alarm notification from the facility 12 through one of the two redundant communication channels 36, 50, and similarly, *Tsumpes* teaches that its central monitoring station 13 receives only a single alarm notification from the controller 12 through a selected communication channel. Neither of these references teaches or suggests receiving notification of an alarm condition and another notification of the same alarm condition at the monitoring center 38 of *Lemons* or the central monitoring station 13 of *Tsumpes* through two distinct networks.

Accordingly, at least because neither *Lemons* nor *Tsumpes* teaches or suggests a security system server that receives an alarm notification and another alarm notification from a security gateway through second and third networks, respectively, according to claim 20, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Lemons* in view of *Tsumpes*. The Patent Office combines *Kung* into the obviousness rejection to address the cable head-end and hybrid-fiber coaxial network features of claim 20, which features have nothing to do with a security system server that receives two separate notifications of an alarm condition from a security gateway through two separate networks. Therefore, combining *Kung* with *Lemons* and *Tsumpes* fails to resolve the deficiencies noted above, and therefore fails to render independent claim 20 obvious.

Thus, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Lemons* in view of *Tsumpes* and further in view of *Kung*. Additionally, Applicants note that pending claims 21-24, 26-31 and 50-52 each depend from and incorporate the limitations of claim 20. Thus, Applicants respectfully submit that claims 21-24, 26-31 and 50-52 are likewise allowable over *Lemons* in view of *Tsumpes* and further in view of *Kung*.

***Claim Rejections Under 35 USC § 103(a) in view of Saylor, Kung and Tsumpes***

In the *Office Action*, claims 20-24, 26-31, 47-52 and 55-61 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,400,265 to Saylor et al. (hereinafter *Saylor*) in view of *Kung* and further in view of *Tsumpes*.

*Saylor* generally discloses a security system 100 comprising control panels 120, 122, 124 that transmit alarm information from various types of security devices to a central security network 130, as schematically depicted in Figure 1 (col. 4, lines 18-28).

Claims 20-24, 26-31 and 50-52

In rejecting independent claim 20 and dependent claims 21-24, 26-31 and 50-52 that depend therefrom, the Patent Office acknowledges that *Saylor* fails to disclose a security system server that is configured to receive a notification of an alarm condition through a second network and to receive another notification of the alarm condition through a third network according to claim 20. However, the Patent Office takes the position that *Tsumpes* makes up for this lack of teaching of *Saylor*, and it would have been obvious to combine the teachings of *Saylor*, *Kung* and *Tsumpes* to render claim 20 obvious.

In response, Applicants respectfully traverse the rejection of independent claim 20 at least because *Tsumpes* neither teaches nor suggests receiving a notification of an alarm condition and another notification of the same alarm condition at the central monitoring station 13 through two distinct networks. Instead, *Tsumpes* teaches that its central monitoring station 13 receives only a single alarm notification from the controller 12 through a selected communication channel.

Accordingly, at least because neither *Saylor* nor *Tsumpes* teaches or suggests a security system server that receives an alarm notification and another alarm notification from a security gateway through second and third networks, respectively, according to claim 20, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Saylor* in view of *Tsumpes*. The Patent Office combines *Kung* into the obviousness rejection to address the cable head-end and hybrid-fiber coaxial network features of claim 20, which features have nothing to do with a security system server that receives two separate notifications of an alarm condition

from a security gateway through two separate networks. Therefore, combining *Kung* with *Saylor* and *Tsumpes* fails to resolve the deficiencies noted above, and therefore fails to render independent claim 20 obvious.

Thus, Applicants respectfully submit that independent claim 20 is patentably distinguishable over *Saylor* in view of *Tsumpes* and further in view of *Kung*. Additionally, Applicants note that pending claims 21-24, 26-31 and 50-52 each depend from and incorporate the limitations of claim 20. Thus, Applicants respectfully submit that claims 21-24, 26-31 and 50-52 are likewise allowable over *Saylor* in view of *Tsumpes* and further in view of *Kung*.

#### Claims 47-49

Claims 47-49 each depend from and incorporate the limitations of independent claim 1. The Patent Office appears to reject claims 47-49 as being anticipated by the *Saylor* reference alone -- there is no mention of the *Tsumpes* reference or the *Kung* reference in the rejection. As set forth in MPEP § 706.02(IV), in order for a reference to anticipate the invention as claimed, the reference must disclose each and every element recited in the claims.

In response, Applicants respectfully traverse the rejection of claims 47-49 on the basis that *Saylor* fails to disclose a security system server that receives two notifications of an alarm from a security gateway through two different networks according to claim 1 from which claims 47-49 depend. Thus, Applicants respectfully submit that claims 47-49 are patentably distinguishable over *Saylor*.

Claims 55-61

The Patent Office appears to reject claims 55-61 as being anticipated by the *Saylor* reference alone -- there is no mention of the *Tsumpes* reference or the *Kung* reference in the rejections. In rejecting claims 55-61, the Patent Office relates the *Saylor* property components 110, 120, 112, 122, 114 and 124 to the claimed security gateway, the *Saylor* central security server 130 to the claimed security system server, the *Saylor* connections between the property components and the central security server 130 to the claimed first network, the *Saylor* Internet method of communication 150 to the claimed second network, and the *Saylor* user 160 to the claimed monitoring center.

As set forth in MPEP § 706.02(IV), in order for a reference to anticipate the invention as claimed, the reference must disclose each and every element recited in the claims. Applicants respectfully traverse the rejection of claims 55 and 56 on the basis that *Saylor* fails to disclose a security gateway configured to notify the security system server in the event that connectivity with the security system server through the first network is lost while the security gateway is disarmed and the security gateway is armed before connectivity with the security system server through the first network is restored. Indeed, *Saylor* does not teach or suggest that the property components 110, 120, 112, 122, 114 would be capable of sending a notification to the central security server 130 in the event that connectivity between them is lost, regardless of whether the property components are disarmed or armed. Thus, Applicants respectfully submit that *Saylor* fails to disclose each and every element recited in independent claim 55 and claim 56 that depends therefrom, and therefore, claims 55 and 56 are patentably distinguishable over *Saylor*.

Applicants also traverse the rejection of claims 57-61 on the basis that *Saylor* fails to disclose a monitoring center that is configured to notify the security system server of the alarm condition according to independent claim 57. Instead, *Saylor* discloses the exact opposite, namely, that the central security server 130 (security system server) notifies the user 160 (monitoring center) of the alarm condition via communication modes 150, 152. *Saylor* neither teaches nor suggests that the user 160 notifies the central security server 130 of the alarm condition. Instead, the communication from the user 160 to the central security server 130 is only a response to the alarm, not a notification that the alarm condition has occurred. The central security server 130 only receives alarm notifications from the property components 110, 120, 112, 122, 114 and 124. Thus, Applicants respectfully submit that *Saylor* fails to disclose each and every element recited in independent claim 57, and therefore, claim 57 is patentably distinguishable over *Saylor*. Additionally, Applicants note that pending claims 58-61 each depend from and incorporate the limitations of claim 57. Thus, Applicants respectfully submit that claims 58-61 are likewise in allowable condition in view of *Saylor*.

In view of the foregoing remarks, Applicants believe that the patentability of the pending claims has been clearly established, and these claims are now in condition for allowance. Accordingly, Applicants respectfully request withdrawal of all remaining rejections, and issuance of a *Notice of Allowance*.



**CONCLUSION**

Consideration of the foregoing remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicants. No new matter is introduced by way of the amendments. It is believed that each ground of rejection raised in the *Office Action* dated March 17, 2008 has been fully addressed. If any fee is due as a result of the filing of this paper please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Plano, Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

Date: June 17, 2008

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